

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL FARRAR,)
)
)
Plaintiff,)
)
-vs-) Case No. CIV-06-902-F
)
)
UNITED STATES MARSHAL'S)
SERVICE, et al.,)
)
Defendants.)

ORDER

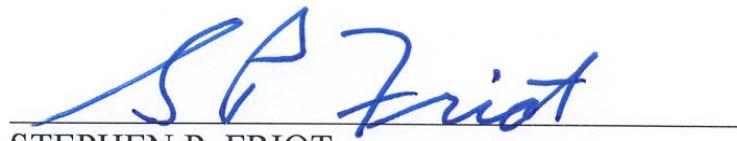
On October 24, 2006, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation, wherein he recommended that petitioner's petition for a writ of error coram nobis be dismissed without prejudice for failure to either pay the filing fee or to file a motion for leave to proceed *in forma pauperis*. In the Report and Recommendation, Magistrate Judge Bacharach advised petitioner of his right to object to the recommended dismissal by November 13, 2006.

The record reflects that the Report and Recommendation as well as a previous order by United States Magistrate Judge Bacharach were mailed to petitioner at his last known address. The documents were returned to the court as undeliverable. However, pursuant to LCvR 5.5(a), papers sent by the court are deemed delivered if sent to the last known address given by petitioner. LCVR 5.5(a) specifically requires petitioner to notify the court of any address change.

Because the Report and Recommendation is deemed delivered and petitioner has not timely objected to the same within the time prescribed, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach is **ACCEPTED, ADOPTED, and AFFIRMED**. Petitioner's petition for a writ of error coram nobis is **DISMISSED WITHOUT PREJUDICE**.

DATED November 27, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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